

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

CHIEF HEARING OFFICER DIRECTIVE

DOCKET NO. 2022-1-E ORDER NO. 2022-26-H

APRIL 4, 2022

CHIEF HEARING OFFICER: David Butler

DOCKET DESCRIPTION:

Annual Review of Base Rates for Fuel Costs of Duke Energy Progress, LLC (“DEP”) (For Potential Increase or Decrease in Fuel Adjustment or Gas Adjustment)

MATTER UNDER CONSIDERATION:

Petition to Intervene of the South Carolina Coastal Conservation League (“CCL”) and Southern Alliance for Clean Energy (“SACE”) (together “the Petitioners”)

CHIEF HEARING OFFICER’S ACTION:

This matter comes before the Chief Hearing Officer on the Petition to Intervene of the South Carolina Coastal Conservation League and the Southern Alliance for Clean Energy. No objections to the Petition to Intervene have been filed.

Under Commission regulation, the Commission must determine whether or not the petitioning party has clear factual support or grounds for the proposed intervention. S.C. Regs. 103-825A(3) requires that parties filing a Petition to Intervene in a matter pending before the South Carolina Public Service Commission must set forth clearly and concisely:

- (a) The facts from which the nature of the petitioner's alleged right or interest can be determined;**
- (b) The grounds of the proposed intervention;**
- (c) The position of the petitioner in the proceeding.**

In the present case, the Petitioners clearly set out the facts from which the nature of the right or interest can be determined, the grounds of the proposed intervention, and their position in this case. The Petitioners describe the purpose of their organizations. Further, they assert state that they have a strong interest in the outcome of this proceeding, and have direct and substantial interests that will be impacted by the decisions made in this proceeding regarding renewable energy and the recovery of fuel costs and incremental and avoided costs of distributed energy resource programs and net metering. The Petitioners believe that their interests cannot be adequately addressed by any other party. Petitioners note that they seek to ensure that DEP’s fuel purchasing practices and policies result in the lowest reasonable costs to customers and that the Company’s fuel costs are just and reasonable. Petitioners also seek to ensure a full and proper valuation of NEM generation and appropriate cost recovery consistent with Order Nos. 2015-194 and 2021-569, that will

accurately reflect and support an effective and diversified portfolio of distributed energy resources. The Petitioners assert that this will lead to cleaner, safer, and healthier communities for all South Carolinians. Petitioners further note that their support for these policies and involvement in this proceeding will promote their members' interests as well as the broader public interest.

Pursuant to these facts, this Hearing Officer holds that CCL and SACE have successfully satisfied the criteria for intervention stated in the Commission Regulation. The Petitioners interest in this matter can clearly be discerned, as can the grounds for the intervention. Further, the Petitioners' position is clearly stated.

As previously noted, there are no objections to the intervention. Accordingly, the Petition to Intervene of the South Carolina Coastal Conservation League and Southern Alliance for Clean Energy is hereby granted in this Docket. This ends the Chief Hearing Officer's Directive.